<u>**Remarks**</u>

The above Amendments and these Remarks are in reply to the Final Office Action mailed January 14, 2005, and the Advisory Action mailed April 15, 2005. The fee for addition of new claims is enclosed herewith. A Petition for Extension of Time to Respond is also submitted herewith, together with the appropriate fee.

I.   <u>Summary of Examiners Rejections</u>

Prior to the Office Action mailed January 14, 2005, Claims 1, 2, 4-12 and 14-31 were pending in the Application. In the Office Action mailed January 14, 2005, Claims 24 and 28 were rejected under 35 U.S.C. 112 as being indefinite. Claims 1, 2, 4, 5, 7, 11, 12, 14, 15, 17 and 22-31 were rejected under 35 U.S.C. 102(e) as being anticipated by Meltzer et al. (U.S. Patent No. 6,226,675, hereafter Meltzer). Claims 1, 2, 4-9, 11, 12 and 14-19 were rejected under 35 U.S.C. 102(e) as being anticipated by Borwankar (U.S. Patent No. 6,594,693). Claims 6, 8, 9, 16, 18 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer in view of Borwankar. Claims 10 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer and Borwankar, in view of Pinard et al. (U.S. Patent No. 6,230,287, hereafter Pinard). Claim 21 was rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer and Borwankar, in view of Laura Gibbons Paul ("RosettaNet: Teaching business to work together", www.developer.com/xml/article.php/616641, hereafter Paul).

A Response was filed by Applicant on March 14, 2005. However, the Examiner indicated in the Advisory Action mailed April 15, 2005 that the Amendment would not be entered since it raised new matters not previously claimed, and would require further search and/or consideration.

II.   <u>Summary of Applicants' Amendment</u>

The present Response amends Claims 1, 11, 24 and 28; and adds new Claims 32-33, leaving for the Examiner's present consideration Claims 1, 2, 4-12 and 14-33. Reconsideration of the Application, as amended, is respectfully requested.

Applicant reserves the right to prosecute any originally presented claims or canceled claims in a continuing or future application.

III.   Claim Rejections under 35 U.S.C. § 112

In the Office Action mailed January 14, 2005, Claims 24 and 28 were rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter. Accordingly, the present response amends Claims 24 and 28 as shown above to more clearly define the invention. Applicant respectfully submits that Claims 24 and 28 now conform to the requirements of 35 U.S.C. 112, and reconsideration thereof is respectfully requested.

IV.   Claim Rejections under 35 U.S.C. § 102(e)

In the Office Action mailed January 14, 2005, Claims 1, 2, 4, 5, 7, 11, 12, 14, 15, 17 and 22-31 were rejected under 35 U.S.C. 102(e) as being anticipated by Meltzer. Claims 1, 2, 4-9, 11, 12 and 14-19 were rejected under 35 U.S.C. 102(e) as being anticipated by Borwankar.

Claim 1

Claim 1 has been amended by the current Response to more clearly define the embodiment of the invention therein. As amended, Claim 1 defines:

> 1.   (Amended) A conversation manager server executing on an intermediate collaboration server for managing the flow of messages in a collaboration system, comprising:
>
> a conversation initiation logic that initiates a conversation among participants, wherein said conversation is a collective set of messages exchanged according to an extensible protocol, wherein said extensible protocol provides the ability to specify both the information and business protocols used by participants for said conversation, wherein the protocol is extended by the participants with no changes to the conversation manager server;
>
> a participation registration logic that registers said participants in said conversation; and
>
> a conversation repository that stores conversation management data, wherein said conversation management data is used to manage said conversation among said participants.

Claim 1, as currently amended, defines a conversation manager server executing on an intermediate collaboration server for managing the flow of messages in a collaboration system, comprising a conversation initiation logic that initiates a conversation among participants, wherein said conversation is a collective set of messages exchanged according to an extensible protocol, wherein said extensible protocol provides the ability to specify both the information and business protocols used by participants for said conversation. The extensible protocol is extended by the participants with no changes to the conversation manager. Applicant respectfully submits that these features are not disclosed by the cited references.

Meltzer discloses a participant server which processes documents for commerce in trading partner networks. Meltzer apparently discloses a market maker server node that includes resources to establish a marketplace among participants. The resources includes a market registry service and the like. Businesses register in the marketplace by publishing a business interface definition (BID). The BID defines the services for commercial transaction in which businesses will participate. The transactions and services use documents to define the inputs and outputs, and outline the commercial relationship between participants in a transaction. The documents have content which carries the particulars of each transaction. (Column 80, Lines 27-39). The process of gathering service specifications begins by locating a service business interface definition supported by the market participant. The service definition is retrieved, for example by an E-Mail transaction. The service business interface is stored in the BID repository. (Column 79, Lines 19-25). The market maker nodes include resources for registering interface definitions, called a BID registry. The market maker also facilitates the commercial network by maintaining a repository of standard forms making up the a common business library for use in building BIDs. (Column 9, Lines 36-44).

The above description appears to suggest that, in Meltzer the protocol cannot be extended by a participant without registering a new BID into the market participant BID registry. Hence, in Meltzer participants cannot extend the protocol of conversation without making changes to the market maker node.

However, in the embodiment of the invention as defined by Claim 1, as currently amended, the extensible protocol for exchanging messages is extended by the participants with no changes to the conversation manager.

Borwankar discloses a method and apparatus for a structured, synchronized conversation using electronic messages over a computer network. Borwankar apparently discloses that it would be desirable to have a group messaging application that provides structure and persistence, and allow users from a global domain to participate in unfettered, ongoing conversations or conferences in close to real time without the intervention of a server or administrator. (Column 3, Lines 23-30). The conference messages are sent from and by a computer network client, without posting the conferencing messages to a network server. (Column 3, Lines 39-42).

The above description appears to suggest that Borwankar describes a participant-to-participant collaboration without the use of an intermediate conversation manager, on a collaboration server that provides conversation initiation logic, participation registry logic and a conversation repository among participants.

However, in the embodiment of the invention defined by Claim 1, as currently amended, the conversation manager is part of an intermediate collaboration server.

In addition, Applicant respectfully submits that Borwankar does not teach an extensible protocol that provides the ability to specify both information and business protocols, as defined by Claim 1. Borwankar appears to teach a conversation message protocol (internet email protocol), storage of messages and various types of participant actions. (Column 3, Line 34 - Column 4, Line 13). Borwankar also teaches how a mail user component is used by the system receives, transmits and stores electronic mail messages, (Column 4, Line 56 - Column 5, Line 14), and how web servers have extension mechanisms the allow application to extend from web servers. (Column 14, Lines 1-6). However, Applicant respectfully submits that these features are not the same as protocol extension, nor the ability to specify both information and business protocols.

Applicant further respectfully submits that the teachings of Meltzer cannot be combined with those of Borwankar so as to anticipate the present invention. Meltzer describes the use of an intermediate market maker node, whereas Borwankar describes the need for not using a intermediate server. In addition, Borwankar does not appear to teach an extensible protocol that

- 10 -

provides the ability to specify both information and business protocols used by participants in conversation. Hence, Applicant respectfully submits that Meltzer cannot be combined with Borwankar to teach a conversation manager on a collaboration server that provides an extensible protocol.

In view of the above comments, Applicant respectfully submits that Claim 1 is neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 1, 2, 4-9, 11, 12, 14-19 and 22-31

Claims 1, 2, 4-9, 11, 12, 14-19 and 22-31 are not addressed separately but it is respectfully submitted that these claims are allowable as depending from an allowable independent claim and further in view of the comments provided above. Applicant respectfully submits that Claims 1, 2, 4-9, 11, 12, 14-19 and 22-31 are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicant reserves the right to argue these limitations should it become necessary in the future.

V. Claim Rejections under 35 U.S.C. § 103(a)

In the Office Action mailed January 14, 2005, Claims 6, 8, 9, 16, 18 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer in view of Borwankar. Claims 10 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer and Borwankar, in view of Pinard. Claim 21 was rejected under 35 U.S.C. 103(a) as being unpatentable over Meltzer and Borwanker, in view of Paul. Claims 10 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Borwankar in view of Pinard.

Claims 6, 8, 9, 10, 16, 18, 19, 20 and 21

Claims 6, 8, 9, 10, 16, 18, 19, 20 and 21 are not addressed separately but it is respectfully

submitted that these claims are allowable as depending from an allowable independent claim and further in view of the comments provided above. Applicant respectfully submits that Claims 6, 8, 9, 10, 16, 18, 19, 20 and 21 are similarly neither anticipated by, nor obvious in view, of the cited references, and reconsideration thereof is respectfully requested.

It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicant reserves the right to argue these limitations should it become necessary in the future.

VI.   Additional Amendments

Claims 32-33 have been newly added by the present Response. Applicant respectfully requests that new Claims 32-33 be included in the Application and considered therewith.

VII.   Conclusion

In view of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including today, July 14, 2005.

Application No.: 09/785,693
Response to OA dated: April 15, 2005
Amendment dated: July 14, 2005

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: _July 14, 2005_   By: _____

Karl F. Kenna
Reg. No. 45,445

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800

- 13 -